

The Honorable J. Kelley Arnold

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DIANN LAUREL HIEBERT, CLYDE MARK )  
MATTHEWS JR., individually and on behalf of )  
all persons similarly situated, )

Plaintiffs, )

v. )

WAL-MART STORES, INC., a Delaware )  
Corporation Licensed to do Business in )  
Washington State, )

Defendant. )

No. C06-5489JKA

STIPULATION AND ORDER  
OF DISMISSAL

Pursuant to FRCP 41(a)(1), Plaintiffs Diann Laurel Hiebert and Clyde Mark  
Matthews, Jr., by and through their counsel of record, Thaddeus P. Martin and Karl Williams,  
and Defendant Wal-Mart Stores, Inc., by and through its counsel of record, Michael J. Killeen  
and Amy H. Pannoni of Davis Wright Tremaine LLP, stipulate to the dismissal of this action  
with prejudice, with each party bearing their or its own costs and attorneys' fees.

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STIPULATION AND ORDER OF DISMISSAL  
(C06-5489JKA) — 1

DWT 2350835v1 0031150-000125

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1  
2 DATED this 11<sup>th</sup> day of April, 2008.

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4 Davis Wright Tremaine LLP  
Attorneys for Defendant  
5 Wal-Mart Stores, Inc.

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**I. ORDER**

This matter came before the Court pursuant to the foregoing stipulation. Based on the Court's review of the stipulation, and the Court being otherwise fully advised, now, therefore, it is hereby

ORDERED, ADJUDGED, and DECREED that: (1) all claims in this action are **dismissed with prejudice**; and (2) each party shall bear his, her or its own costs and attorneys' fees.

DONE this 15<sup>th</sup> day of April, 2008.

/s/ J. Kelley Arnold

Honorable J. Kelley Arnold  
U.S. DISTRICT COURT MAGISTRATE JUDGE

Presented by:

Davis Wright Tremaine LLP  
Attorneys for Defendant

By s/Michael J. Killeen  
Michael J. Killeen, WSBA #  
Amy H. Pannoni, WSBA #31824

Approved as to Form;  
Notice of Presentation Waived:  
Attorneys for Plaintiff

LAW OFFICE OF THADDEUS MARTIN  
Attorney for Plaintiffs

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